IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 8130 of 2005

Between:

S.Sujatha, w/o Srihari,
R/o Bahdurpally Village, Qutubullapur Mandal, R.R.District.

..... PETITIONER

AND

1 The State of A.P., rep., by the Vice Chairman and APIIC A.P.Industrial Infrastructure Corporation) Parishram Bhavan, Basheerbagh, Hyderabad.
2 Chief Engineer, APIIC, Parishram Bhavan, Basheerbagh, Hyderabad.
3 The Regional Officer, Pollution Control Board, R.R.District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ particularly one in the nature of writ of mandamus directing the respondents 1 & 2 to stop proceeding with the activities in construction of effluent storage tank in the land under Survey No.111 of Bahadurpally Village, Qutubullapur Mandal, R.R.District as well as in laying connecting pipeline connecting the said effluent stage tank with that of effluent plant at Jeedimetala Via Balanagar-Narsapur Road, and also declare the said Act of respondents in proceeding with the activities for construction of said effluent storage tank in the land under Sy.No.111 of Bahadurpally Village, Qutubullapur Mandal, RR.District and also route chosen for laying of connecting pipeline via Balanagar Narsapur Road to Jeedimetla effluent treatment plant at cost of our lives depriving the petitioner villages of their life's and livelihood as unconstitutional and violative of article 14 & 21 of Constitution of India and against the principles of natural justice as prayed for in the petition.

Counsel for the Petitioner:MR.D.V.SUDHEER KUMAR, ADVOCATE

Counsel for the Respondent Nos.1 and 2: MR.P. RAM BHUPAL REDDY (SC FOR PCB)

Counsel for the Respondent No.3: MR.S.V.BHATT (SC FOR APIIC)

The Court at the admission stage made the following O R D E R:

This writ petition is filed to issue a Writ of Mandamus declaring the action of respondents 1 and 2 in proceeding with the activities of construction of effluent storage tank in the land under Survey No.111 of Bahadurpally village, Qutbullapur Mandal, Ranga Reddy District, as well as in laying pipeline connecting the said effluent storage tank with that of effluent plant at Jeedimetla via Balanagar – Naraspur road, as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned counsel appearing for the respondent No.3. None appeared for respondents 1 and 2.

Third respondent is the competent authority to issue clearance certificate for construction of effluent storage tank. It seems that the petitioner has made representation on 04.04.2005 to the third respondent.

Therefore, without entering into the merits of the case, the writ petition is disposed of with a direction to the third respondent to inspect the land as well as the route connecting pipeline of the said effluent storage tank with that of effluent plant at Jeedimetla via Balanagar – Naraspur road within a period of ten days from the date of receipt of a copy of this order. Thereafter, the third respondent shall take appropriate decision in accordance with law after issuing notice to the petitioner as well as to the respondents. No order as to costs.

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(K.C.BHANU,J)

Dt:20th April, 2005

usd

To

1 The Vice Chairman and APIIC A.P.Industrial Infrastructure Corporation, State of A.P., Parishram Bhavan, Basheerbagh, Hyderabad.
2 The Chief Engineer, APIIC, Parishram Bhavan, Basheerbagh, Hyderabad.
3 The Regional Officer, Pollution Control Board, R.R.District.

4 2 CD copies

5 1 CC to MR.BHATT

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